



COMDTINST 5827.1-3

OCT 26 1995

COMMANDANT INSTRUCTION 5827.1

**Subj:** INVESTIGATION OF DEATHS WITHIN THE COAST GUARD

**Ref:** (a) CG Safety and Environmental Health Manual,  
COMDTINST M5100.47 (series)  
(b) CG Personnel Manual, COMDTINST M1000 (series),  
Section 11-A-2  
(c) CG Personnel and Pay Procedures Manual,  
PPCINST M1000.2, Section 5-A  
(d) CG Investigations Manual, COMDTINST M5527.1 (series)  
(e) CG Administrative Investigations Manual,  
COMDTINST M5830.1

1. **PURPOSE.** In order to completely and competently address concerns about loss of life within the Coast Guard, this Instruction establishes requirements for commands to report all Coast Guard deaths to appropriate authority, and establishes certain responsibilities for Coast Guard commands and personnel. All Coast Guard personnel should concern themselves with the prevention of loss of life within the Coast Guard family and understand the necessity for a thorough investigation following the death of a member of the Coast Guard.

2. **ACTION.** Area and district commanders: commanders, maintenance and logistics commands; commanding officers, commanders and officers-in-charge; and Chiefs of Offices and special staff divisions shall ensure compliance with the provisions of this Instruction.

3. **DIRECTIVES AFFECTED.** None

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4. DEFINITIONS.

- a. For the purposes of this Instruction, a "death" is defined as loss of life by accident, act of violence, self-inflicted cause or unknown cause. This does not include death by known natural causes in a hospital setting or deaths which occur in the performance of duties for which a Mishap Analysis Board is convened under reference (a).
- b. "Coast Guard members\*\* includes all Coast Guard active duty members and their dependents; Coast Guard Reservists on active duty: U. S. Public Health Service ((USPHS)) and Department of Defense (DoD) personnel assigned to the Coast Guard; members of the Coast Guard Auxiliary whose death or injury resulting in death occurs while performing official orders; and Coast Guard civilian employees whose death or injury resulting in death occurs while at the work place.

5. DISCUSSION.

- a. The number of deaths of Coast Guard members continues to be a concern to the Coast Guard. Congress recently expressed its concern about certain military deaths through Public Law 103-160 (Section 1185 of the National Defense Authorization Act for Fiscal Year 1994), which required the Secretaries of Defense and Transportation to "...prescribe regulations governing the investigation of deaths of members of the Armed Forces that may have resulted from self-inflicted causes." As the criminal investigative arm of our Service and primary investigative liaison with the Department of Transportation Office of the Inspector General ((DOT-IG)), under the Uniform Code of Military Justice ((UCMJ)), 14 U.S. Code 141, and Section 89, title 14, U.S. Code. Coast Guard Investigations ((CGI)) will, subject to limitations, investigate all reported deaths of Coast Guard members as defined above when authorized to do so. In order to accomplish this, IMMEDIATE notification of all deaths (other than natural causes in a hospital setting), as defined above, should be made via telephone to the appropriate district operations center ((OPCEN)). OPCEN watchstanders must notify the cognizant servicing district ((ole/oii/oiil)) office or resident agent office. This notification augments the reporting and notification requirements found in references ((b)-and (c)).

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- b. While not all-inclusive, the following are primary reasons why CGI conducts death investigations:
- (1) To determine, or help determine, the cause and manner of death, i.e., suicide, homicide or accidental.
  - (2) To determine if the deceased was involved in a violation of criminal laws or security procedures which may have led to the death. This is particularly true of a person who was in a responsible government position or had access to security information or material.
  - (3) To determine if government information or property was compromised.
  - (4) To preserve evidence.
  - (5) To assist in understanding and preventing future deaths.

6. PROCEDURES.

- a. The following are required only if the apparent death or confirmed death occurs on Coast Guard owned or controlled property.
- b. Upon notice of the apparent death as defined in paragraph 4.a. or injury which may reasonably lead to death, the first responsibility of commanding officers is to ensure emergency medical services are provided. In situations where it is apparent beyond any reasonable doubt that the individual is deceased, and, as stated above, the incident occurred on property owned or controlled by the Coast Guard, commands shall take the following action:
- (1) Immediately contact the local law enforcement agency having primary or concurrent jurisdiction and the duty agent for the servicing CGI office. Immediate notification allows professional investigators and forensic personnel to respond before the scene is disturbed and clues are destroyed.

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- (2) Secure the area immediately surrounding or contiguous to the scene; this includes the body of the deceased. It is imperative that nothing be touched, including the deceased's living ~~and~~ work area, locker, personal effects, etc. Protecting the integrity of the scene will help forensic experts and investigators recreate pertinent events as part of the investigation into the death.
- (3) Post appropriate guards to each area, allowing the ~~entry, of~~ only medical or investigative personnel. Responsibility for scene protection rests with the command until properly relieved by investigative personnel. Assigned guards shall be fully identified to investigative personnel. Guards ~~shall not~~ conduct any inquiry or investigation, but shall protect any and all portions of the area(s) from damage, deterioration or tampering. All persons who enter ~~the scene for~~ any purpose prior to ~~the arrival of~~ , investigative personnel shall be properly identified and their presence documented by the command or appointed guard(s).
- (4) Separate and sequester any eyewitnesses and/or individuals < who may have pertinent information, 4
- (5) Secure in place any personal effects, properties, notes, letters, weapons, etc. relating to the incident or victim, in order to prevent the purposeful or inadvertent destruction of evidence.

C. Whenever possible, Coast Guard Investigations shall respond quickly to the scene of all reported deaths of Coast Guard members, as defined in this Instruction, and take the following action:

- (1) If the incident occurred on property owned or controlled by the Coast Guard, establish control of the death scene and initiate a chain of custody of all appropriate evidence. In other instances, assist as requested by the on-scene law enforcement official who has assumed investigative jurisdiction.

- (2) Should circumstances preclude **CGI** from responding directly to a death scene (distance, weather, etc.), the servicing **CGI** office will contact the appropriate **law, enforcement** agency and medical examiner,
  - (3) If **CGI** is the primary investigative component, **CGI** special agents will conduct a thorough criminal investigation into the circumstances surrounding each death. If **CGI** is a secondary investigative component, the servicing **CGI** office shall open a monitor investigation and assist the primary investigative agency. When relevant, **CGI** personnel will assist with the prosecution of those responsible for the death, and assist in gathering information which could aid in the prevention of future deaths.
  - (4) Once on site, any and all evidence, physical spaces, equipment, materials and witnesses shall be **controlled\*by** the-primary. investigating entity, and shall not be released except with the authority of the law enforcement agent or officer in charge of the investigation.
- d. Regarding the Coast Guard's Special Needs dependent population, as stated in Commandant Instruction **1754.7(series)**, "Coast Guard Special Needs Program", whenever a death occurs in that population, extreme sensitivity must be exercised when dealing with the families of Special Needs dependents. To the extent possible, considering the facts at hand and investigative requirements which must be met under the policies/procedures detailed in this instruction, **CGI** personnel shall contact their servicing Coast Guard **Work-Life** staff as soon as possible following the reported death.

7. PUBLIC AFFAIRS.

- a. Alongside the requirement for an immediate death investigation by trained professionals, there is a sensitivity issue attendant to these tragedies: The effect on family and loved ones. For that reason and others, death investigations are highly sensitive in nature.

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- b. ~~During#the~~ course of investigations, Coast Guard Investigations personnel are not permitted to discuss investigative cases with anyone who does not have a need to know without clearance ~~from~~ the CGI special agent-in-charge or district commander ((ole/oii/oiiii)).
- c. Information relating to the business of CGI shall be released to the public via a Coast Guard Public Affairs officer. No information will be released without written approval by the special agent-in-charge, district commander ((ole/oii/oiiii)) or higher authority, including ~~the public law enforcement~~ agency having primary jurisdiction for the investigation.

8. INVESTIGATIVE REPORTS.

- a. Whether the primary or secondary investigative component, CGI will issue an investigative report to Coast Guard ~~commands and staff elements; in accordance with reference~~ (d) To the extent possible, original evidence such as photographs, letters, notes, and witness affidavits will be included in the report, along with investigative reports from other law enforcement agencies involved and the medical examiner. As cited in Section 1-C-3 of reference (e), command administrative investigations or inquiries should only be conducted, if deemed necessary, after all criminal investigative activity is concluded.
- b. Commanding officers and officers-in-charge shall continue to comply with casualty and decedent reporting requirements in references (b), (c), and other Coast Guard directives.
- c. For Coast Guard Investigations, incidents under this Instruction shall be immediately reported to Commandant ((G-ONS-1)), following the procedures outlined in reference (d).



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